10-10-06

10597890 - GAU: 1-795

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPAR 'fMENT OF COMMERCE

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		Application Number	10/597,890-Conf: #7463		
TRANSMITT	AL	Filing Date	August 10, 2006		
FORM		First Named Inventor	Fumio Hashimoto		
		Art Unit	N/A		
(to be used for all correspondence after	r initial filing)	Examiner Name	Not Yet Assigned		
Total Number of Pages in This Submiss	sion	Attorney Docket Numb	05677/0205277-US0		
EN	ICLOSURES	(Check all that app	oly)		
Fee Transmittal Form	Drawing(s)		After Allowance Communication to TC		
Fee Attached	Licensing-rel	ated Papers	Appeal Communication to Board of Appeals and Interferences		
Amendment/Reply	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After Final	Petition to Co Provisional A		Proprietary Information		
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address		Status Letter		
Extension of Time Request	Terminal Dis	claimer	X Other Enclosure(s) (please Identify below):		
Express Abandonment Request	Request for	Refund	PTO SB/08 References (6 documents)		
X Information Disclosure Statement	CD, Number of CD(s)		Certificate of Express Mailing (1 p) Return Receipt Postcard		
Certified Copy of Priority Document(s)	Landscape Table on CD				
Reply to Missing Parts/ Incomplete Application	Remarks		- Older L		
Reply to Missing Parts under 37 CFR 1.52 or 1.53					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm Name DARBY & DARBY P.C.					
Signature family ~	Jungar				
Printed name James N. Tuozzo			-		
Date October 5, 2006		Reg. No.	53,706		



Docket No.: 05677/0205277-US0

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

	Application of:	
	1 No.: 10/597,890	Confirmation No.: 7463
Filed: Augu	ast 10, 2006	Art Unit: N/A
For: FU	EL BATTERY	Examiner: Not Yet Assigned
	INFORMATION DISCLOSURE	STATEMENT (IDS)
P.O. Box 14	ner for Patents 450 VA 22313-1450	,
Dear Sir:		
1.98, and it be consider	This Information Disclosure Statement is sub is requested that the information set forth in ed during the pendency of the above-identified applituhent the filing date of the above-identified appli	this statement and in the listed documents ied application, and any other application
	1. This IDS should be considered, in accordan of the boxes A-D)	ce with 37 C.F.R. 1.97, as it is filed:
x A.	within three months of the filing date of application or within three months of the enabove identified national application	
B.	before the mailing date of a first office action after filing a request for continued exa	
C.	after (A) and (B) above, but before fine Applicants have made the necessary statement necessary fee in box "ii" below.	

(check one of the boxes "i" and "ii" below:)

Receipt date: 10/05/2006 10597890 - GAU: 1795

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Docket No.: 05677/0205277-US0

Application No.: 10/597,890

$\cdot$
i. Counsel states that, upon information and belief, each item of information listed herein was (check one of boxes (a) or (b))
(a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
(b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
ii. A check for the fee set forth in 1. 17(p), presently believed to be \$180, is enclosed.
D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(i) a check in the amount of \$180.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was
(check one of the boxes "a" and "b" below:)
(a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
(b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

Application No.: 10/597,890 3 Docket No.: 05677/0205277-US0 x A. Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy/copies of the United States Patent on PTO/SB08 is/are not being submitted. B. Document(s) \_\_\_\_\_is (are) deemed substantially cumulative to document(s) \_\_\_\_\_, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed. C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120: << INSERT SERIAL NO. & FILING DATE>> Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application. x 3. Cite No(s). JP7-220743A, JP8-287928A, JP9-55217A and JP2000-223137A are not in the English language. accordance with 1.98(c), Applicant states: An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding Englishlanguage patent or application, or English-language abstract (or claim) is enclosed. x The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609). A concise explanation of the relevance of document(s) is set forth as follows: [Insert concise explanation of relevance] A concise explanation of the relevance of document(s) \_\_\_\_ can be found on page(s) \_\_\_\_\_ of the specification. A concise explanation of document(s) \_\_\_\_ can be found on the attached sheet.

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4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 in the preamble to the final rules; 1135 OG 13 at 20).

x 5. Other information being provided for the examiner's consideration follows:

An International Search Report, dated May 24, 2005, which issued during the prosecution of PCT Application No. JP2005/001575 which corresponds to the present application.

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Early and favorable consideration is earnestly solicited.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: October 5, 2006

Respectfully submitted,

James N. Tuozzo

Registration No.: 53/700

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Attorneys/Agents For Applicant

Receipt date: 10/05/2006

PTO/SB/08A/B (09-06)

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of

Complete if Known				
Application Number	10/597,890-Conf. #7463			
Filing Date August 10, 2006				
First Named Inventor	Fumio Hashimoto			
Art Unit	N/A			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	05677/0205277-US0			

U.S. PATENT DOCUMENTS					
Examiner Cite Name of Patentee or Relevant Passages or Name of Patentee or Relevant Passages or				Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	AA*	US-5,616,431-A	04-01-1997	Kusunoki et al.	
	AB*	US-5,789,094-A	08-04-1998	Kusunoki et al.	

1

		FOREI	GN PATENT	DOCUMENTS		
Examiner	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
Initials*		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	ВА	JP-7-220743-A	08-18-1995	The Kansai Electric Power Co., Ltd., & Mitsubishi Electric Corp.		
	BB	JP-8-287928-A	11-01-1996	Sanyo Electric Co., Ltd.		
	вс	JP-9-55217-A	02-25-1997	Tanaka Kikinzoku Kogyo Kabushiki Kaisha		
	BD	JP-2000-223137-A	08-11-2000	Aisin Takaoka Co., Ltd. & Aisin Seiki Co., Ltd.		
	BE	EP-1235289-A2	08-28-2002	General Motors Corp.		

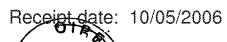
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Nich indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
	CA	International Search Report for PCT/JP2005/001575 mailed May 24, 2005.		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	mu i mi	Date	
Signature	/Phoebe Riner/		09/02/2008
Signature	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	IConsidered	03/02/2000

Applicant's unique citation designation number (optional). 2Applicant is to place a check mark here if English language Translation is attached.



Application No. (if known): 10/597,890

Attorney Docket No.: 05677/0205277-US0

## Certificate of Express Mailing Under 37 CFR 1.10

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October 5, 2006 Date

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each submitted paper.

Transmittal Form (1 page) Information Disclosure Statement (4 pages)

DS (Citation) by Applicant (citing 8 References) (1 page)

References: 6 documents Return Receipt Postcard